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## **Just war, royal conscience and the crisis of theological counsel in the early seventeenth century**

**Keywords:** Nicolas Caussin – Cardinal Richelieu – Valtelline crisis – just war – second scholastics

**Abstract:** This article explores how scholastic just war theories and concepts of theological counsel became increasingly problematic in the run-up to the Thirty Years War. It identifies increasing conceptual difficulties due to probabilism, religiously inspired contemporary warfare and skeptical readings of the Old Testament. Such theoretical problems were exacerbated in the context of the struggle for European hegemony with French pamphleteers starting to ridicule theological discourse in order to denounce Spanish dominance, in particular during the Valtelline crisis. Scholastic just war traditions were so fundamentally discredited, that the former royal confessor Caussin was eventually forced to abandon them. Instead he tried to recover theological authority and to safeguard the essence of scholastic just war teachings through a pacified reading of the Old Testament. Though ultimately unsuccessful, his adaptations bear witness to profound changes in the appreciation of the scholastic heritage as well as in the decline of moral theology for political decision-making.

*Silence, theologians, on what is none of your business.*

Alberico Gentili, *De Iure Belli Libri tres* (1598)

### **Introduction**

According to the Vulgate of historical narratives the “confessional age” came to an end when Cardinal Richelieu entered the Thirty Year’s War on the side of the Protestant powers in 1635. Allegedly Richelieu relied on a wholly secularized conception of state interest that consolidated the emancipation of nation states from religious tutelage and left old ideals of a unified *christianitas* in ruins.<sup>1</sup> This interpretation is further fuelled by the circumstance that in 1637 Richelieu’s strategy was opposed by the royal confessor Nicolas Caussin s.j. (1583-1651), who, accused by the Cardinal Minister of being a religious zealot who had criminally over-stepped the limits of his office, was immediately disgraced.<sup>2</sup> Caussin denied these accusations vehemently and insisted that counseling on the justice of war belonged to the core competence and duty of royal confessors according to moral theology. The closer one looks at the conflict the less credible seems the caricature of a battle between “reason of state” and

“religious zeal”. Not only did Richelieu, as William Church and others have shown, regularly cast his own choices in terms of “Christian” politics<sup>3</sup> the royal confessor also never advocated the concept of holy war. Why then did Richelieu reject Caussin’s claims to theological expertise and to his role as custodian of the royal conscience? And why did the Cardinal get away with the spectacular removal of the confessor?

In order to understand the incident and its wider implications more fully it is necessary to re-contextualize it, first within a longer debate over the merits of scholasticism and the authority of theological counsel in politics, and secondly within the short-term, specifically French debate of the 1620s. We will therefore begin with a look back on the erosion of some fundamental concepts underpinning scholastic just war theory as well as theological expertise and authority at the end of the sixteenth century. Scholars generally assume that scholastic debates on just war had a “flair of the past” and were thus of little relevance by 1600,<sup>4</sup> but the reasons and dynamics of this development deserve closer scrutiny, and they are an important backdrop to our specific case in point. As will be explored in a second step, the theologians’ difficulties in coming to terms with the cracks in their theoretical framework and with the effects of probabilism were further exacerbated during the Franco-Spanish struggle for European hegemony, as French polemicists started to attack scholastics in order to undermine the moral legitimacy of Spanish dominance. From the 1620s onwards, they targeted the Spanish system of theological counsel in politics<sup>5</sup> and ridiculed theological just war debates to discredit the authority of theological counselors in the eyes of the French public. The confrontation between Richelieu and Caussin, as well as the Cardinal’s effortless victory over the confessor, suggest that this campaign had been rather successful. So successful that Caussin in his apologetic writings, on which we focus in the final sections, went on to adjust his arguments. To answer the challenges to theological authority and to scholastics, he

combined a return to pristine Thomist principles with a highly original recovery of prophetic models based on skeptical readings of Old Testament sources.

### **Royal sins and scholastic doubts on just possession**

Long into the seventeenth century, whoever was interested in how royal confessors should examine the conscience of rulers turned to the confessional manual by the Augustinian eremite Martín de Azpilcueta (1492-1586), generally known as “doctor Navarro”. Since its first publication in 1552 the manual had undergone countless republications and translations and Caussin, too, in his clash with Richelieu, referred to it as an indisputable ‘gold-standard’. Navarro’s manual contained a list of twenty-five questions for royal penitents, three of which directly concerned the justice of war.<sup>6</sup> In all three questions Navarro locked the definition of just war into the strictest Thomist principles: just war was limited to defensive and retributive operations, requiring just authority, just cause, and just intention. Its aim was to repair an injustice or damage suffered, such as the appropriation of one’s possessions by another. This classical Thomist view was centered on the fundamental category of just possession and its defense, and by consequence war was a part of justice that pre-supposed guilt in the opponent. Navarro insisted on the importance of just intention, excluding aggressive wars of conquest or glory from his definition of just war.<sup>7</sup> Interestingly, especially given the political and confessional context of his time, at no point did he mention the possibility of war for religious reasons, on which Aquinas had held a more ambiguous position.<sup>8</sup>

Navarro’s concept of just war was clearly indebted to that of the second scholastics, namely to Cardinal Cajetan and to Francisco de Vitoria (ca.1483/6-1546), who both rejected religious grounds for war.<sup>9</sup> Yet, while Vitoria’s legitimate causes concerning the right of mission and of “humanitarian” protection of innocent victims allowed for supposedly religious causes to slide in through the backdoor, Navarro made no hint in this direction, nor

did he suggest a princely duty of defending the Church by armed means. What he did mention and emphasize, however, was the duty of Christian princes to keep and seek peace at all costs, so as to prevent the weakening of Christendom. The absence of religious causes in Navarro's questionnaire for royal confession, as well as the emphasis on the duty to avoid war through negotiation, by consequence considerably reduced the scope of just war. Navarro's tight definitions did not reflect some more flexible viewpoints on the matter that had developed already during the sixteenth century. When Caussin referred to Navarro as his normative framework in the 1640s he thus eclipsed a meanwhile highly complex debate. Indeed, as moral theology had moved on in the later sixteenth century some of Navarro's solid categories had become uncertain, and by Caussin's time many thought that moral theologians had lost their way.<sup>10</sup>

"Just possession", for example, a key point within the defensive traditional just war theory, had become particularly unstable, although the second scholastics unflinchingly emphasized that nobody, not even the infidels or pagans, could be forcefully deprived of their possessions (life, objects, territories, reputation), and that, whoever suffered injustice of that kind, had the right to resist. The problem was that individual perceptions and objective evidence of just possession did not always concur, and that knowledge of these might be faulty or erroneous. Vitoria was acutely aware of this problem: he believed that warring parties – even "the Turks and the Saracens" – did not act in bad faith, but that they engaged in war for what they perceived as a just cause, in defense against an aggressor or to recover possessions. While humanists concluded that just causes could exist on both sides, the theologian Vitoria maintained that, as war could only be justified as an answer to injustice, this was a logical impossibility: one side had to be in a state of objective error, although the agent subjectively did not perceive this.<sup>11</sup> Such subjective misjudgments, current in disputes

over legal titles to territories, were difficult to disentangle causing doubts and troubles of conscience on all sides. As acting in doubt was acting in sin, it was necessary to achieve certainty. Thorough counseling and deliberation, as well as negotiation with the opponent, were meant to achieve this, yet, as Vitoria stated, “once the case has been examined as long as is reasonable,” the possessor was not required to relinquish the possession. Vitoria’s conclusion was coherent with a core principle of moral reasoning, according to which the morally safest (*tutior*) opinion was to be preferred in cases of doubt. This maxim invariably favored right of the possessor (*ius possidentis*), but it was not without its tensions, for example when the ruler’s right to raise taxes collided with the subjects’ right to their property.<sup>12</sup> The probabilist idea put forward by the Dominican Bartolomé de Medina in 1577, that in case of doubt one might prefer a less probable opinion to a more probable one or even to the safest opinion, was a methodological break-through and changed the terms of moral reasoning fundamentally. Medina defined probability as “what is confirmed by very good arguments and the authority of wise men,” but he disconnected moral safety from probability, opening new ways of solving moral problems. Moreover, Medina also argued that one could abandon the safest opinion if it was detrimental to oneself.<sup>13</sup>

Probabilism was taken up widely, but when it came to war, moral theologians generally held on to the *ius possidentis* maxim and tried to limit probabilistic undermining of it.<sup>14</sup> Luis de Molina s.j. (1536-1600) insisted that just possession had to be supported materially and formally, while the staunch probabilist Thomas Tamburini s.j. (1591-1675) felt that probability of the *ius possidentis* could not merely be of intrinsic nature but must be substantiated extrinsically, i.e. by “written evidence or witnesses.”<sup>15</sup> Yet nobody spelled the probabilistic consequences out as drastically as the Jesuit Hernando Castro Palao (1581-1633) when he stated that “this way of reasoning (although probable) does not satisfy me.”<sup>16</sup> Though

probable, he considered it “barbarous”, because it privileged the most powerful, who would always find extrinsic evidence (written evidence and judges) to support their cause. In the case of two princes disputing their claims to a territory, he therefore preferred to leave the decision to the *res publica* to decide for itself. He further suggested that, while doubts and deliberations prevailed, the contested territory could be occupied. The opposed party was then justly entitled to respond with a defensive war. This was possible because whoever believed to have a legitimate claim to a territory could admonish the possessor to prove his competing claim. Any refusal to do so provided the opponent with a just cause against the possessor, because such a refusal was unjust and offensive. The ensuing conflict might look aggressive, but, as a response to injustice, it could be labeled as a just and defensive war fulfilling the definitions commonly shared by all *Doctores*.<sup>17</sup> As this example shows, the application of probabilism could reduce scholastic just war principles to an empty shell, deepening doubts instead of lifting them. Despite such unraveling of basic Thomist concepts, which cannot be explored in full here, the nimbus of *bellum iustum* remained strong. With respect to international and domestic audiences declarations of war, for example, continued to invoke its framework. Where this proved impossible, as in the Swedish intervention in the Thirty Years War, the notion of “war” was by consequence evacuated altogether and replaced by a terminology of armed intervention.<sup>18</sup>

### **Religious war?**

Caussin’s reliance on Navarro’s scholastic framework makes it unlikely that he favored war on religious reasons. Furthermore, the majority of the second scholastics, be they Dominicans like Vitoria and Domingo de Soto (1494-1560) or Jesuits like Luis Molina (1536-1600), who had developed their arguments on war mainly in relation to the American conquest, had insisted on two crucial points: first that religion could/should not be instilled by force, and

second that political *dominium* did not depend on right religion. They explicitly rejected canonist arguments according to which war was a form of just punishment against heretics. According to scholastic authors the punishment of heretics belonged to the Church and therefore it had no place within the question of just war which by definition dealt with conflicts between (sovereign) princes.<sup>19</sup> Hence the rejection of religious war opposed the second scholastics to humanist, Protestant, papalist, as well as canonist thinkers on this matter.<sup>20</sup> The question of how to interpret examples from the Old Testament correctly was a major point of this controversy. We need to explore this aspect briefly here in order to understand the originality of Caussin's later handling of the question.

The Franciscan friar Alfonso de Castro (1495-1588), a court theologian of Charles V and later a preacher at the court of Philip II, may be cited as a typical example of the canonist school. He was heavily criticized by the second scholastics, who as good Thomists also took exception to Franciscan notions of *dominium* and of papal power, but here in particular to Castro's idea that heresy might be a just cause of war. Castro in his *De iusta haereticorum punitione* (1547) argued that heretics could not exercise legitimate political power and that according to canon law war was a means of just punishment for their heresy.<sup>21</sup> Molina rejected this view and underlined that it was not the duty of the king of Spain to punish sins committed in France and that idolatry in general could never be a just cause of war. He then went on to focus in detail on the interpretation of examples from the Old Testament, which Castro and other defenders of holy war used as stock arguments.<sup>22</sup> One such example was the Israelites' war against the Canaanites, which according to Castro supported the case of just war against heretics. Molina denied the validity of this example: neither religion nor the idolatry of the Canaanites supplied the Israelites with a just cause; formally and materially their just cause rested only on the recovery of land that God had promised them. Only once



the Israelites had taken possession of their territories, were they entitled to impose their true religion. The imposition of faith was an internal problem, not one that was fought out in war.<sup>23</sup>

Moral theologians who followed the Thomist grammar fundamentally separated just war from the punishment of heretics. The division also underpinned Suárez's *Opus de triplici virtute* (1622), where he treated the two problems in different books. Heresy belonged to the book dedicated to faith (*De Fide*), and therefore, as Suárez explained, just war had no place in here. When defining heresy and its punishment in *De Fide*, Suárez emphasized that papal jurisdiction extended over heretic princes, because, although apostates, they belonged to the Church by virtue of baptism.<sup>24</sup> The punishment of heresy could include the confiscation of property, and princes were no exception to this. Rulers who had been sentenced and condemned as heretics might hence be deprived by the Church of their right to govern. Yet, although he stressed, more clearly than Bellarmine even, that papal power might also comprise the imposition of temporal and material punishments, he did not discuss explicitly the idea that a war against heretic princes was a duty that followed *ipso facto*. In one single line, Suárez declared it a "probable" opinion, that a Catholic prince might wage such a war upon papal commitment, but he did not explore this point at any length.<sup>25</sup>

Just war was radically different from the punishment of heresy, as Suárez stressed throughout his discussion of it in the separate book on charity (*De Charitate*). Like Molina he staunchly rejected Castro's and the canonists' positions that founded just causes in religion. Such causes were "false" and "vain," because "God had not given all men the power to avenge his injuries," something He could have done should He have wished to. But He clearly had not "because this would cause major perturbations."<sup>26</sup> Suárez seconded Molina in his view on how to interpret the Canaanite example correctly, and interestingly he added further arguments, indebted to Vitoria; he elaborated that the Canaanites' obstruction of common

roads of communication as well as their practice of human sacrifice were more convincing just causes. These, he insisted, were possible just causes; they were not founded in religion but in natural law. Finally Suárez turned to the last bastion of religious war: the pope's universal power. Although, in the chapter on heresy, he had given a very large scope to the extent of papal power over Christians in the spiritual and temporal sphere, in the context of just war he insisted on its limits. In his role as head of Christianity the pope held no direct temporal, but only spiritual power over Christians, and none whatsoever over pagans or infidels. Suárez' conclusion was dry and succinct: Christian princes could not wage war unless for reasons founded in the law of nature and for the defense of the innocent, which excluded all "false titles," because "the law of grace did not abolish but perfect the law of nature."<sup>27</sup> One might conclude by analogy that heresy therefore could at best be an accessory aspect but never a cause of just war. This is, however, difficult to settle definitely, due to the fundamental distinction between infidels and pagans on one side and apostates and heretics on the other, as established in the chapter *De Fide*. The strict separation of the discussions on heresy from those on just war left the problem of religious war ultimately unresolved.

The theory of indirect spiritual papal power over all Christians perforated the principle of internal and external sovereignty of states, creating theoretical contradictions and tensions even within Suárez's own work. Other problems too compromised the concept of war as exterior violence between sovereign opponents. Indirect wars, destabilizing exterior enemies by fomenting interior dissent or rebellion, were more opaque forms of war. Certainly not entirely novel, such wars had gained a new momentum as they intertwined with religious questions. Could one engage in alliances with heretics and infidels in a just war, or did this invalidate the just cause? Could the protection of innocent victims be invoked against another Christian prince? These were far more uncertain queries, and it is significant that Suárez in his

analysis of just war only examined alliances with “idolatrous” rulers, a vaguer concept than heresy.<sup>28</sup> As he had stated in *De Fide*, idolatry did not diminish the right to exercise political power and it was no cause for just war.<sup>29</sup> The promotion of idolatry by force (“*vis*”) alone was no argument either; only violent coercion (“*coactio*”) and a call for help by the entire *res publica* might provide valid causes for military interventions. Again this derived from the law of nature (protection of the innocent) not from religion.<sup>30</sup> When it came to alliances with infidels (not with heretics!) his answers were even more nebulous. As the marginalia announce, “the doubts are answered by examples.” These were drawn from the Old Testament and they worked both ways.<sup>31</sup> If the Israelites used wild beasts for war, why not employ infidels? On the other hand, there were also warning examples of divine punishment for those who, because they had lost trust in God’s providence, had asked the impious for help.<sup>32</sup> For Suárez, a man of otherwise rigorous logic, such an answer, based on inconclusive contrasting examples, was shockingly imprecise. He abandoned his characteristic mode of systematic, logical argument and acknowledged the complexity of interpreting the Old Testament, upon which arguments on religiously motivated violence were generally based. But reasoning by examples, even if scriptural, was not the same thing as reasoning within a logical framework of natural law.

Authors of more casuistic works showed less rigor when it came to classifying examples or to upholding the systematic distinctions that had underpinned the discussion in Suárez. A case in point are the *Disquisitiones morales* (1639) by the Dominican Vincenzo Candido (ca. 1564-1654), the *maestro del sacro palazzo*, i.e. the first of the papal theologians. Despite his indebtedness to the authority of the *Doctor Angelicus*, he extended the use of valid examples to historical events, something Molina had warned against when resolving moral doubts.<sup>33</sup> This had far-reaching consequences: Candido declared that Christian rulers engaged

in a just war might use the help of infidels, if doing so did not imply scandal or danger for the faith. He referred to the example of Charles V who, “after consulting with theologians” had used “German soldiers who were Lutheran infidels” in his war against the French.<sup>34</sup> Instead of asking on what grounds the theologians might have supported this, Candido assimilated the validity of historical examples to those derived from the Old Testament, and he equated heretics to infidels. Seamlessly he knitted together Biblical and historical materials, stating that Christian princes might help infidels engaged in a just war, even against other Christian princes, just like David, who had taken up arms against Israel side by side with Achish, the king of Gath [2 Samuel, 28-29].<sup>35</sup> If calling infidel soldiers to fight against Christians “cause[d] scandal” it should be avoided. It was all a matter of convenience and propriety, and of whether the means employed served the right purpose of helping another in the accomplishment of an act of justice.<sup>36</sup> As to the causes of just war in general, he extended the idea of vindication of damage and injustice from a question of possession to a question of religion. As probable opinions were sufficient in matters of morality, war against condemned heretics, was to be deemed a perfectly just cause, “because heresy causes the greatest harm to the *res publica Christiana*.”<sup>37</sup> Candido, interestingly, did not limit such war to a specific papal command.

Two points may be retained in the light of these few examples: scholastic theologians for conceptual reasons were unable to come to terms with religious war, and they were extremely critical of the use made of the Old Testament to support “holy war”. At the same time it is evident that the scholastics’ *modus operandi*, as well as the precision of their concepts, showed signs of faltering, making them vulnerable to criticism from within and without the theological field. Nonetheless the claim that theologians were the best counselors on the grounds that they possessed superior expertise and knowledge was not abandoned. This

was exactly what the French polemicists started to contest vehemently a decade before the country entered the Thirty Years War.

### **The authority of theologians**

A fully-fledged assault on the competence of scholastic theologians developed in France during the Valtelline crisis. The twists and turns of this socio-confessional conflict in the Swiss canton of Grisons had started in 1618 with the uprising of the Catholic population in the Valle d'Adda against their Protestant overlords. The violent repression of the rebellion provoked an international crisis with Spain and France protecting the opposing parties. Between 1620 and 1641 both sides, however, struggled to square their often contradictory strategic, political and confessional interests. The Spanish support for the Catholic side rivaled with strategic concerns not to antagonize the Protestant Swiss cantons and the need to control the Alpine passes. France, caught up in its domestic Huguenot problem, presented the strategically motivated protection of Protestant Grisons as the defense of rightful rulers against rebellious subjects and against Spanish "imperialism."<sup>38</sup> The Valtelline crisis thus anticipated and condensed all the politico-religious contradictions that were staged on an even larger scale in the Thirty Years War itself. Both sides were trapped in the contradiction between reason of state and the legitimacy of alliances with confessional enemies.

During the critical period between 1624 and 1627, when Spain had taken control of the valley and papal troops occupied it, writers gathered around Richelieu to support his Grisons policy with a variety of publications to counter the attacks by ultramontane Catholic radicals.<sup>39</sup> One of the main targets in the French pamphlets was the Spanish tradition of theological counsel in politics, probably out of fear that such modes of government might appeal to devout Catholics in France and lead them to question Richelieu's strategy.<sup>40</sup> Priests and theologians, the polemicists argued, did not help to unburden the royal conscience or to

resolve conflict peacefully: they burdened the conscience, and by spreading moral doubts they spread dissent and disruption, favoring Spanish hegemony across the globe.<sup>41</sup> Although classic second scholastics had hardly supported religious war arguments, the French polemicists suggested that they were guilty of instigating religious war by means of the counsel of theologians. Denouncing scholasticism as absurd and hypocritical helped to demolish the authority of theological counsel on which Spanish policy claimed to rely, which in turn helped to justify Richelieu's strategies, denounced by Spaniards and by some French Catholics as steeped in vile reason of state.

Some pamphlets, like those published by Richelieu's agent the sieur de Fancan (ca. 1576-1628) named and shamed the French royal confessors Father Coton (confessor to Henri IV, 1604-10 and to Louis XIII, 1610-17) and Father Arnoux (confessor to Louis XIII, 1617-21), blaming them of having transformed matters of state into matters of conscience in order to pursue a pro-Spanish political agenda.<sup>42</sup> Fancan's accusations were rooted in established anti-Jesuit propaganda, but anti-Jesuitism does not do justice to another, hugely influential pamphlet put together in 1625 under the significant title *Catholique d'estat* by a few clergymen who belonged to Richelieu's closest entourage. Jérémie Ferrier, a converted Protestant minister, royal councilor and historiographer, is generally considered its author, but he was probably assisted by Richelieu's *eminence grise* père Joseph (1577-1638) and the respected Oratorian Pierre de Bérulle (1575-1629).<sup>43</sup> The authors stripped down the arguments for just war to the canonist rule based on Augustine, according to which combat is justified if it is undertaken not out of desire or lust for glory, but for mere necessity. Faithful assistance to one's allies was a necessity and a just cause, and canon law supported this.<sup>44</sup> Furthermore, the king of France possessed the right authority, as well as the just intention that scholastics prized so highly. Royal authority, they argued was directly derived from God, and

this included the right to use the sword. The God of Hosts, who, as the Old Testament taught, waged war against infidels and who crushed rebellious subjects, had passed his authority on to secular rulers to do the same in the name of the state.<sup>45</sup> Thus, an argument traditionally invoked to justify religious war, was transformed to declare war in the name of the state as a holy exercise. By consequence, subjects did not possess the right to doubt the justice of war: “The *Catholique d’Estat & Politique*, i.e. a good man who fears God & who is not a partial and factitious Catholic or traitor to his country, obeys the law of God without examining the actions of kings. He knows that state power is from Heaven.”<sup>46</sup> This, too, turned on its head scholastic thinkers who, whilst stating that subjects did not have the duty to trouble their conscience with examining the justice of war, had never denied their right to do so.<sup>47</sup>

The French pamphleteers categorically denied the relevance of scholastics and casuistry, because “the maxims of the school are irrelevant in politics.” They were inadequate foundations of political judgment and a means of deceit and destruction. Casuists had invented scruples and doubts as “narcotics” to paralyze the French and to favor Spanish interests.<sup>48</sup> This did not prevent the French pamphleteers from adapting some scholastic maxims to their own ends. Abolishing the distinction between heresy and infidelity, they stated that heresy did not diminish a ruler’s sovereignty and that thus heretics were legitimate allies.<sup>49</sup> Like Candido, the authors quoted the example of Charles V, but while the papal theologian had done so to support the legitimacy of alliances with heretics, the French writers used this example to denounce Spanish double standards. Lumping together the entire “Gotha” of sixteenth-century theologians under the label of “scholastics”, and even twisting precise passages from Vitoria’s lectures on war, they declared theological counsel a farce.<sup>50</sup> It was indistinguishable from the “counsels of Machiavelli” and in the end Spanish “soldiers robbed, killed and pillaged like those of other nations.”<sup>51</sup>

The message was clear: France did not need committees of theologians, nor did it need unsolicited voices of conscience. The pope, French subjects, theologians or royal confessors possessed no legal or moral competence. The rejection of perceived scholastic interference with affairs of state was in line with long-term strands of Gallican and absolutist thought.<sup>52</sup> Yet the attack on the royal confessor now added an extra note, as it went right into the heart of his theological expertise on the justice of war. The demolition of the confessor's authority as a counselor is probably the most corrosive aspect of the *Catholique d'Estat*. Crucially, the authors ridiculed the emblematic scholastic examples of consultation and negotiation over just possession that Vitoria and Molina had used.<sup>53</sup> Instead the French "State Catholics" of the 1620s quoted a story recounted by Paolo Giovio: he had blamed two French royal confessors for having accepted bribes by the Catholic kings Ferdinand and Isabella to torture the consciences of Louis XI and Charles VIII in order to snatch French territories. The first confessor, according to Giovio, had instilled Louis XI with doubts about his lawful possession of the comté of Roussillon; the second had persuaded his son that he was obliged in conscience to restitute the county to Ferdinand of Aragon. These stories subverted Vitoria's defense of the *ius possidentis* as well as his arguments in favor of counsel of conscience to prevent war. Based on Giovio, the French authors suggested instead that the royal confessors' counsel on war was a Trojan horse: problems of conscience were raised, not out of genuine concern for the king's conscience, but out of cupidity and Spanish partiality.<sup>54</sup>

In the words of the French writers scholastic theology was intrinsically "criminal" as it suggested crimes to the tribunal of conscience where there were none. It perverted the natural obedience of subjects as well as paternal authority in general by raising the issue of royal sins and doubtful royal conscience in the first place. Therefore, French political advisors, the chancellor, the cardinal and many others, as assembled in the royal council, need not feel



unqualified by comparison: they too were pious, they and their forefathers had fought against heresy and they were “zealots” when it came to the “*bien de l’etat*.” All this was “for us a true counsel of conscience.”<sup>55</sup>

The arguments made in the context of the Valtelline crisis seem to have struck home as intended. Even the most rigorous French *dévots* supported Richelieu’s policy, with the bishop of Chartres venturing the position that a war was just because the king willed it, and the philosopher Jean de Silhon (1596-1667) suggesting that probabilism could be used to favor reason of state.<sup>56</sup> The always fragile French Catholic consensus, however, definitely fell apart around 1630: the treatment of Marie de Medici and the open alliance with Protestant powers in the Thirty Years War were highly controversial. A large number of Richelieu’s former devout supporters now fell out with the Cardinal Minister.<sup>57</sup> Curiously, this did not hinder the Jesuit Nicolas Caussin from accepting the position as royal confessor upon Richelieu’s invitation as late as March 1637. But only a few months later Caussin expressed doubts on the French engagement alongside Protestant powers. His arguments can hardly be described as befitting a Catholic zealot, despite Richelieu’s statements to the contrary: the confessor did not demand that France must wage war against heretics, or that alliances with them were unlawful. Caussin opposed Richelieu for different reasons.<sup>58</sup> One was that he feared that the Cardinal in the long term might pursue an alliance with the Turks to fight the Habsburgs. Secondly he denounced the alliance with the Protestants because it contributed to the destruction of Catholicism in the Empire, expanding the conflict, precisely when peace talks might have led to its conclusion. Richelieu’s strategy made France a tool of destruction of the Church and of Christendom whilst also promoting Ottoman expansion. Both flew in the face of Navarro’s definitions of just war.

### **Pacifying the Old Testament**

The conflict between Caussin and Richelieu has mostly been reconstructed from the account Richelieu gave in his memoirs.<sup>59</sup> Caussin's views have received less attention and it has gone largely unnoticed that the former confessor explained himself in additions to his most famous and hugely successful work, the *Cour Sainte*, when the Cardinal's death put an end to his exile in 1643.<sup>60</sup> The ways in which he now presented his arguments, however, prove that he too no longer relied solely on the force of scholastic discussions of just war. Probably well aware that the polemics of the 1620s had damaged their efficacy, particularly amongst the French audience, he chose a new approach to overcome the crisis of theological authority and scholastic knowledge.

The *Holy Court*, originally published in 1624, was a typical example of Jesuit pedagogy: it was a gigantic spiritual exercise that compiled countless examples for courtiers to meditate upon in their search of a Christian life. The novelty of the post-exile editions was a sequence of chapters directed to the court clergy and in particular to royal confessors in the light of Caussin's own unhappy experience.<sup>61</sup> To this end Caussin assembled a variety of prophets' lives (Elijah, Elisha, Isaiah, Jeremiah and Saint John Baptist) as well as that of Seneca as instructive exempla for confessors. Throughout, Caussin's effort of self-justification rests on three pillars: the return to Navarro's strict Thomist framework, the proposal of the prophet as a role model for royal confessors, and the pacification of episodes from the Old Testament to serve as spiritual guidelines.

In his introduction to the edition of 1647, Caussin insisted that the confessor, in order to fulfill his office, had to refer back to Azpilcueta's standard manual for confessors of a century earlier, and he reprinted Navarro's questionnaire for royal penitents *verbatim*.<sup>62</sup> Concerning just war, this resulted in banishing all contrasting scholastic discussions in favor of Azpilcueta's emphasis that Christian princes must seek and maintain peace in order to

counter the enemies of Christendom effectively. Caussin had insisted on this point already in 1637, but while back then he had still referred to the authority of the scholastic writers on just war, in 1647 he abandoned all references to them.<sup>63</sup> Hand in hand with this return to Azpilcueta went a firm warning against probabilist concessions that had affected moral theology since. Confessors “should not try to follow extraordinary propositions that tend to render the king’s conscience loose nor should the confessor prejudice the people or the state ... he must incline to the things that are in the pure light of nature and the Gospel, he must walk straight and not succumb to less pure opinions.”<sup>64</sup> He circumvented the discussion of whether war alongside heretics might be unjust, a point on which scholastics had not been very precise anyhow; instead he put the focus firmly on the unity of Christian princes.

Although Caussin abandoned extensive references to scholastic just war arguments, he did not compromise on the confessor’s duty to deal with matters of conscience, including war. Countering Richelieu’s criticism, that he had unlawfully interfered with matters outside his competence, he reaffirmed the necessity for basing political decision-making on theological advice, reiterating classic positions held by all moral theologians:

There are those who pretend that there are royal sins and the sins of the man who rules, and that it is sufficient that he accuses himself as a private person and not as a king, as the latter is reserved to his Council. I would like to ask such Doctors, where does the man’s soul go, if the king is in perdition? [...] People’s sins often have only small consequences, but those of a king endanger the salvation and may ruin the lives of millions of people. On him depend freedom, slavery, poverty, wealth, greatness, depression, peace, war, life and death and the welfare of the provinces. Should it not be important to know how he goes about such things, not in view of entering into the

details of the affairs of his state, but in order to make him understand, what conforms to God's law?<sup>65</sup>

Caussin, however, did not justify his re-affirmation of the confessor's competence with the Bellarminian idea of the confessor as an expression of indirect spiritual power.<sup>66</sup> Theories on indirect papal power had caused massive controversy in France, and since the readmission of the Jesuit order in Paris had depended on abandoning the teaching of his doctrine within their colleges in France, Caussin's silence on this matter was probably wise.<sup>67</sup> The reaffirmation of the confessor's authority therefore had to rely on other, more acceptable sources. Caussin found them in Old Testament prophecy.

Banking on the power of prophecy was an ambiguous enterprise. As the phenomenon of self-appointed prophets spread throughout Europe in the early seventeenth century, religious authorities regarded claims to prophecy with increasing suspicion. The reasons for this are evident: as Weber pointed out, charismatic prophets generally challenge the "technicians of routine cults," which is why priests and prophets can be regarded as conflicting ideal-types.<sup>68</sup> Caussin's recovery of prophecy was not tinged with any subversion of priestly power, however: his prophetic models – Elijah, Elisha, Isaiah and Jeremiah – did not belong to the category of seers, like Daniel, but to those who warned and criticized rulers. Exclusively inspired by divine truth and devoid of self-interest, they alone, according to Caussin, could claim to be true, truthful and trustworthy counselors in a world of courtly flatterers.

A second important aspect that Caussin develops through his prophetic examples concerns matters of war and the maintenance of true religion. But, contrary to the traditional use of Old Testament examples for legitimizing holy war, Caussin in his adaptation of these passages largely erased their violence, offering a pacified reading. This is most visible in the

way in which he related Elijah's and Elisha's involvement in the anointment of Ahab's general Jehu as king of Israel, and the latter's subsequent extermination of Ahab and his lineage on account of idolatry. The biblical story seems clear enough: divine support for rulers and anointment by the prophet is connected to the re-establishment of true religion. The second book of Kings relates in great detail how Jehu rounded up all remaining members of Ahab's family, how "they took them alive, and killed them at the pit by the cabin, two and forty men, and he left not any of them" (2 *Kings* 10:14).<sup>69</sup> Under a false pretext Jehu then assembled the followers of Baal in the temple where he had them slaughtered one by one, concluding the massacre with the destruction of the temple. Without any doubt such carnage in God's name would have resonated vividly with Caussin and with all Europeans in the seventeenth century as religious massacres and their images spread.<sup>70</sup> Caussin, however, made no reference to this scene; instead he glossed it over:

... we can justify Jehu ... in as far as he was the whip of God's fury, and the instrument of His justice, without being just himself. Although he used the pretext of religion, he was animated by a wild and bloody ambition, & he posed as the enemy of Tyrants only to become one himself, filling the places he emptied with his fury with new crimes. He used the prophets in his own interest and still continued to worship the golden calf.<sup>71</sup>

This is a significant distortion of the tone and sense of the biblical original, and it spared the reader the image of the massacres and bloodshed, avoiding all possibilities for spontaneous chains of association with recent historical events. Caussin's emphasis was different and he interpreted Jehu's destruction of the false gods as a pretext to seize and consolidate political power. Such cynical use of religion, reminiscent of Machiavelli, however, was fundamentally distinct from Elijah's true commitment to God as portrayed in the Bible. Importantly in Caussin's narrative the massacre, to which he only alluded vaguely, was an entirely political

decision. Although fidelity to the true faith was the pillar of anointed kings, in Caussin's account the prophet did not call for war or carnage to implement it. On the contrary, as Caussin stated, Elijah had tried to convert Ahab, his court and Israel through his word and through his miracles. Mission and not religious war, he seemed to imply, was the true pillar of Christian politics.

Caussin deepened the enquiry into the nexus between just war and idolatry as he explored Elisha's agency further. The prophet was presented as a faithful counselor to Jehoram, king of Israel. Despite Elisha's contempt for the king's idolatry which, according to Caussin showed "that alliances with the Infidels, even if necessary, are truly unbearable and are to be feared,"<sup>72</sup> the prophet continued to counsel him in the war against the Syria on account of Jehoram's alliance with the true believer, Jehosaphat, king of Judah. Caussin justified the prophet's cooperation with an idolatrous ruler as a civic duty undertaken in the name of the conservation of the state, but he left no doubt that Jehoram's idolatry and cruelty, which Caussin compared to that of the Mexican kings, troubled the prophet deeply.<sup>73</sup> Again, Caussin addressed the question of massacres and explained how the prophet intervened to prevent them. As Elisha struck the Syrian soldiers with blindness, which was decisive in defeating them, Jehoram intended to press his advantage and slaughter his enemies to mark his victory: "Jehoram ... wanted to massacre them, but Elisha forbade him to lay hand on them, for he had not defeated them through his sword but by a miracle [...] Voilà a courtesy [!] worthy of the New Testament and the Laws of the Gospel. Elisha did not want his miracles to be wicked, and he was content to win with the help of good works."<sup>74</sup>

The prophet's aversion to violence was one of Caussin's recurring tropes, and according to his explanation of the Old Testament episodes the fulfillment of God's providence could never repose on a pledge to war and cruelty. This point was also at stake in

one of the more enigmatic of Elisha's prophetic episodes, that of the war against the rebellious king of Moab. Elisha had predicted the different steps the war would take, and which would ultimately lead to delivering Moab into the Israelites' hands (2 *Kings* 3:18). But historical events took another turn: when defeat seemed certain, the king of Moab, in an act of desperation, sacrificed his own son on the city walls. After this disturbing event, the Israelites retreated "in anger" and gave up the siege, turning what seemed a victory into a defeat (2 *Kings* 3: 26-27). It is unclear from the Biblical text how the two events related to each other, but it is evident that the surprise ending was not part of the prophecy. Had God punished the Israelites because they had disregarded and overstepped the limits of just war as "they destroyed the cities: And they filled every goodly field, every man casting his stone: and they stopt up all the springs of waters: and cut down all the trees that bore fruit, so that brick walls only remained..." (2 *Kings* 3:25)?<sup>75</sup> Caussin offered another explanation according to which the Israelites' retreat expressed a just refusal of "bloody politics":

... the besiegers were so horrified by this barbarous act [the killing of the son], that out of horror they abandoned the siege, as they did not want to press him further who out of fear of evil had descended to the most evil deed. This war was successful [!] & the presence of a faithful king [Jehoshaphat] brought benediction upon the unfaithful, & at other times the faithful are killed by the alliance with the unfaithful, as it happened to Ochasias king of Judah, who was killed by Jehu because he entertained friendship with those who were not of his religion.<sup>76</sup>

Caussin twisted the story to show that love of humanity and just rejection of cruelty motivated the retreat. God's justice was mysterious. He did not necessarily reward believers or punish unbelievers in accordance with human criteria of worthiness. Caussin's examples undermined

the use of the Old Testament as a foundation of holy war. Like Suárez had said, the examples could work both ways.

### **Confessors, prophets and angels of peace**

Throughout the sixteenth and seventeenth century examples from the Old Testament served a wide range of justifications of war: it was a standard resource for canonists in support of holy war, while on the other end of the spectrum, it had also served sixteenth French lawyers in their apology of Francis's I alliance with the Turks.<sup>77</sup> Last but not least during the Thirty Years War many militant Catholics, including Caussin's fellow Jesuits and princely confessors like Wilhelm Lamormaini s.j. (1570-1648) in Vienna and Adam Contzen s.j. (1571-1635) in Munich, had resisted compromise and peace with fervent holy war discourses on the same grounds. Caussin must have been aware that they had justified the ongoing war in religious terms, holding up the authority of the Old Testament and referring continually to divine revelation and prophecy.<sup>78</sup> They had thrown overboard the scholastic reticence concerning religious grounds for war, arguing that whoever agreed peace with the "heretics" did so only with convenience on their minds and because they lacked faith in God's providence and his promise of victory. Caussin was more skeptical as to such claims. He belonged to those who doubted the very concept of holy war based on the example of Israel.<sup>79</sup> Caussin fought all sides: he opposed the militant theologians as well as the French reason of state arguments which had disgraced him, and he countered both with his highly peculiar and personal adaptation of stories from the Old Testament. Although he effectively returned to strict Thomist principles and to Navarro's conservative exhortation to Christian unity, he refrained from extensive references to the scholastic tradition. Instead biblical history served as reservoir of "truth", while the prophets supplied confessors with an authoritative model from which to derive their legitimacy as voices of conscience.



Caussin's choice probably reveals a coming to terms with the fact that the scholastic tradition of just war had entered its final stages and that it had been irreparably damaged by the crisis of probabilism and by the debates that had surrounded its role during the Franco-Spanish power struggle. Caussin's reasoning was also indicative of a wider theological trend, which set in around the middle of the seventeenth century, in which "biblical truth" was played out against mere opinions based on scholastic speculation. By anchoring the confessor's mission in the prophetic model he claimed a less contested terrain, in which he could combine the idea of authority with the duty of truthful counsel. Yet, despite his insistence on prophetic authority, Caussin also delivered a skeptical lesson. His chapter on Jeremiah in particular illustrated that even prophets could fail in preventing monarchs from lurching into devastation and destruction. Caussin did not hide, but emphasize that the best prophets generally found themselves despised, humbled and exiled.

In 1650, just after the conclusion of the peace of Westphalia, Caussin returned to the question of war and peace in an open exhortation to peace directed at all Christian princes and, in particular, at Louis XIV, who was coming of age. In his *Angelus Pacis* (1650), which was immediately translated into English, Caussin remembered the validity of Aquinas's principles of just war and he reiterated his skepticism as to quoting the Old Testament in support of religious war.<sup>80</sup> All princes had claimed religious causes, leading to a logical paradox, which could only mean that these causes were either vain, or that they hid something else. According to Caussin the true cause of the war-mongering had been partisan jealousy and greed instilled by secular counselors pretending to uphold the reason of state. With unrestrained irony he turned back to the way in which the French Valtelline pamphlets had attacked the sources and authorities of scholastic learning.<sup>81</sup> Royal favorites who had participated in this demolition of right reason were to blame for having pushed their monarchs

to pursue a war that had laid the continent in ruins. Most princes had engaged in the war with Christian intentions, but as the war dragged on, these had become irrelevant. Caussin makes a highly interesting and novel point by showing that even just wars ultimately turned unjust: “If some Warres be just, if some be necessary, yet whilst they are protracted, they cease to be what they were, they lose their innocence by the very diuturnity, and whilst they increase in fury, they decrease in cause and reputation.”<sup>82</sup> If the past could not be mended, Caussin at least wanted to draw some lessons for the future, and like a prophet he went on to warn of new dangers that undermined the foundations of the European order: by pressuring their subjects for money to finance wars they could no longer justify conclusively, European monarchs ran the risk of undermining their own authority. Subjects had started to “hate Monarchy, and (which is absolutely unlawful) [to] conspire to withdraw their Obedience.”<sup>83</sup> Caussin carefully avoided explicit allusions to the ongoing *Fronde* which had been triggered by such fiscal strains, and pointed across the Channel instead. England, he warned, was only the beginning, and more royal heads would roll if European princes failed to establish a peaceful order. Thus, advocating peace was not a sign of Christian naïveté, but of true understanding of reason of state.<sup>84</sup>

If Caussin had hoped that royal confessors would follow the agenda of the angel of peace, and re-implement religious counsel, he had hoped in vain. One of the outcomes of the Thirty Years War was indeed that the role of royal confessors was curtailed in all Catholic monarchies, not only in France. Their failure to prevent or contain the long-lasting bloodshed had done little to recommend their expertise or authority as counselors of conscience, even amongst the theologians themselves. Curiously, while royal confessors in the latter half of the seventeenth century lost influence, Caussin turned into a recognized example of the dutiful confessor who had not given up on his duty as counselor of conscience. It is not surprising to

see he was remembered as such in Spain long after his death, but even Pierre Bayle who dedicated a long entry to him in his dictionary believed that it “was a commonly held opinion” that Caussin had been disgraced because “he behaved as a good man should.”<sup>85</sup>

But the clock could not be turned back. By the middle of the seventeenth century not only royal confessors found their authority and competence in tatters, but confessors and moral theology in general became the laughing stock of Europe thanks to Pascal’s *Lettres Provinciales* (1656). Pascal’s satire relied to a large degree on the circumstance that the most bizarre probabilistic opinions were uttered by thoroughly corrupt theologians, who in part had Spanish names.<sup>86</sup> This fell on fertile ground with a public already accustomed to similar arguments made in the early seventeenth century in the context of the struggle against Spanish hegemony. There was a logical connection between the idea that “Spanish theology” corrupted monarchy and identifying it as the perverting force of good French subjects, inaugurating a new layer in the long-lasting French confusion of political and moral theological debates.

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<sup>1</sup> This scholarly tradition is best summed up in Heinz Schilling, *Die neue Zeit. Vom Christenheitseuropa zum Europa der Staaten, 1250-1750* (Berlin, 1999), 433-456.

<sup>2</sup> The calumny started with a publication in the *Gazette de France*, permeating Richelieu’s memoirs and still coloring contemporary historians’ accounts, see Robert Bireley, *The Jesuits and the Thirty Years War. Kings, Courts, and Confessors* (Cambridge, 2009), 185-190; for ample evidence of Richelieu’s twisting of facts see Camille de Rochemonteix, *Nicolas Caussin, confesseur de Louis XIII et le cardinal Richelieu. Documents inédits* (Paris, 1911).

<sup>3</sup> See William F. Church, *Richelieu and Reason of State* (Princeton, 1972); Françoise Hildesheimer, *Relectures de Richelieu* (Paris, 2000), chapter 3; Hermann Weber, “Zur Legitimation der französischen Kriegserklärung von 1635,” *Historisches Jahrbuch* 108 (1988): 90-113.

<sup>4</sup> See Anthony Pagden, “Dispossessing the barbarian: the language of Spanish Thomism and the debate over the property rights of the American Indians,” in *The Languages of Political Theory in Early Modern Europe*, ed.

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Anthony Pagden (Cambridge, 1987), 79-98, here 98. This is mostly seen as an effect of the growing influence of Grotius's 'secular' concepts which were, however, highly indebted to Thomism, see John Bossy, "Practices of Satisfaction, 1215-1700," in *Retribution, Repentance, and Reconciliation. Papers read at the 2002 Summer Meeting and the 2003 Winter Meeting of the Ecclesiastical History Society*, ed. Kate Cooper and Jeremy Gregory (Woodbridge-Rochester, 2004), 106-118.

<sup>5</sup> As proudly highlighted by Spanish diplomat and negotiator at the peace conference of Münster Diego de Saavedra Fajardo (1584-1648) in his *Idea de un Príncipe Politico Christiano rapresentada en cien empresas, dedicada al Prencipe de las Españas Nuestro Señor* (Milan, 1642), 406f. On theologians and confessors in political counsels in early modern Spain, see Isabelle Poutrin, "Los Confesores de los reyes de España: carrera y función (siglos XVI y XVII)," in *Religión y poder en la edad moderna*, ed. Antonio Luis Cortés Peña, José Luis Betrán and Eliseo Serrano Martín (Granada, 2005), 67-81; Nicole Reinhardt, "Spin-doctor of Conscience? The royal confessor and the Christian prince," *Renaissance Studies* 23 (4/2009): 568-590.

<sup>6</sup> Martín de Azpilcueta, *Manual de confesores & penitentes* (Coimbra, 1552), 606-615. I quote from the first edition. On Navarro see Vincenzo Lavenia, "Martín de Azpilcueta (1492-1586). Un profilo," *Archivio Italiano per la Storia della Pietà* 16 (2003): 15-148.

<sup>7</sup> See Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford, 1999), 56-57.

<sup>8</sup> See John Finnis, *Aquinas. Moral, political, and legal theory* (Oxford, 1998), 284-287; James Turner Johnson, *Ideology, Reason, and the Limitation of War. Religious and Secular Concepts 1200-1740* (Princeton, 1975), 39-52.

<sup>9</sup> Francisco de Vitoria, "On the American Indians," in *Political Writings*, ed. Antony Pagden and Jeremy Lawrence (Cambridge, 1991), 231-292 and 293-328 ("On the Law of War"). See also Carla Forti, "Der ,gerechte Krieg' in der neuen Welt: die Rezeption der spanischen Debatte in Italien," in *Die Neue Welt im Bewußtsein der Italiener und Deutschen des 16. Jahrhunderts*, ed. Adriano Prosperi and Wolfgang Reinhard (Berlin, 1993), 215-238.

<sup>10</sup> Turner Johnson, *Ideology, Reason, and the Limitation of War*, 178f.

<sup>11</sup> Vitoria, "On the Law of War," 2.1, § 20 and 2.4, § 32. See Tuck, *The Rights of War and Peace*, 31-34.

<sup>12</sup> Vitoria, "On the Law of War," 2.3 § 27-31, quotation § 30. On the importance of *ius possidentis*, see Rudolf Schüßler, *Moral im Zweifel, Band I: Die scholastische Theorie des Entscheidens unter moralischer Unsicherheit* (Paderborn, 2003), 105-106.

<sup>13</sup> Bartolomeo de Medina, *Scholastica commentaria in D. Thomae Aquinatis Doct. Angelici primam secundae ...* (Cologne, 1618), 459-464.

<sup>14</sup> See Pierre Hurtubise, *La casuistique dans tous ses états. De Martin Azpilcueta à Alphonse de Liguori* (Ottawa, 2005), 228.

<sup>15</sup> Luis Molina, *De Iustitia et Iure, Tomus Primus. Complectens Tractatum Primum; & ex Secundo Disputationes CCLI, usque ad ultimas voluntates inclusive* (Venice, 1614) [first edition Cuenca 1593], disp. 102, 421-423. The Israelites' just cause was of material and formal nature, because they fulfilled God's providence; the Canaanites' resistance was justified formally, as just self-defense. Intrinsic probability has been described by the subjective understanding of good reason, while extrinsic probability refers to reason supported by exterior authorities, see Julia Fleming, *Defending Probabilism. The Moral Theology of Juan Caramuel* (Washington, 2008), 113. For Tamburini's distinction see his *Explicatio Decalogi, Duabus Distincta Partibus* (Venice, 1694) [first edition 1654], Lib. I, cap. III, 17.

<sup>16</sup> Hernando de Castro Palao, *Operis moralis de virtutibus et vitiis contrariis ..., pars prima* (Lyon, 1631), Tract. I., disp. II. (7), 11-13.

<sup>17</sup> Castro Palao, *Operis moralis, pars prima*, Tract. I, disp. II. (7), 13.

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<sup>18</sup> See Pärtel Piirimäe, “Just war in theory and practice: the legitimation of Swedish intervention in the Thirty Years War,” *The Historical Journal* 43 (3/2002): 499-523.

<sup>19</sup> The distinction between the purpose of secular and spiritual power is a cornerstone of the neo-scholastic school and of Suárez’s attack on James I, see Gerald Hartung, “Die politische Theologie des Francisco Suárez: Zum Verhältnis von Religion und Politik in der Spätscholastik,” in *Religion und Politik. Zu Theorie und Praxis des theologisch-politischen Komplexes*, ed. Manfred Walther (Baden-Baden, 2004), 113-126.

<sup>20</sup> See Pagden, “Dispossessing the barbarian,” 82-83.

<sup>21</sup> Alfonso de Castro, *De haereticorum punitione libri tres* (Salamanca, 1547), Lib. II, cap. 7, 99r-105v; on the wars against heretics cap. 14, 125r-132r. Castro classified the desire to bring a heretic back to true religion as a just intention, 128ff. On Castro see Daniela Müller, “Ketzerrei und Ketzerbestrafung im Werk des Alfonso de Castro,” in *Die Ordnung der Praxis. Neue Studien zur spanischen Spätscholastik*, ed. Frank Grunert and Kurt Seelmann (Tübingen, 2001), 333-347. A summary of the debate between Franciscans and Dominicans over the nature of *dominium*, in Janet Coleman, *A History of Political Thought. From the Middle Ages to the Renaissance* (Oxford, 2000), 123-133.

<sup>22</sup> See Robert Bireley, *The Counter-Reformation Prince. Anti-Machiavellianism or Catholic Statecraft in Early Modern Europe* (Chapel Hill-London, 1990), 131, 228; Michela Catto, *Cristiani senza pace. La Chiesa, gli eretici e la guerra nella Roma del Cinquecento* (Rome, 2012), 109-113. Old Testament passages relating to war or in support of war were sampled in Francesco Panigarola, *Specchio di Guerra* (Bergamo, 1595). Scholastics, however, did not reject Augustine’s classic argument in *Contra Faustum* by which warfare was legitimate for Christians on the basis of the Old Testament.

<sup>23</sup> Molina, *De Iustitia et Iure*, vol. I, disp. 106, 436. The view that rulers could impose true faith was not seen as contrary to the principle that faith could not be forced: the imposition of faith within a state should not rely on physical violence or death threats, but on more or less forceful means, positive ones like persuasion, but also negative ones like expulsion of those who refused to follow the true religion. For the fortune of the Canaanite example amongst Enlightenment scholars, but with little reference to the scholastic tradition, see Ofri Ilany, “From Divine Commandment to Political Act: The Eighteenth-Century Polemic on the Extermination of the Canaanites,” *Journal of the History of Ideas* 73 (3/2012): 437-61.

<sup>24</sup> The different categories of “infidelity” take up a large part of *De Fide*, see Francisco Suárez, *Opus de Triplici Virtute Theologica, Fide, Spe et Charitate* (Aschaffenburg, 1622), “De Fide”, disp. XVI (*De Infidelitate*), sect. 4, 249-253; definition of heresy in disp. XIX, 277-297.

<sup>25</sup> Suárez, “De Fide,” disp. XXIII, sect. VI (8), 350. On papal indirect power, see Harro Höpfl, *Jesuit Political Thought. The Society of Jesus and the State, c. 1540-1630* (Cambridge, 2004), 341-365.

<sup>26</sup> Suárez, “De Charitate,” in *Opus de Triplici Virtute*, disp. XIII (*De Bello*), sect. V (1), 456.

<sup>27</sup> Suárez, “De Charitate,” disp. XIII, sect. V (6), 457.

<sup>28</sup> The passage is ambiguous as Christian subjects of infidel rulers in the *De Fide* are called “Catholics”. Papal indirect power is a central argument, but the recommendations are cautious. Circumstance and proportion are important in judging appropriate action to avoid detrimental consequences to the Church, see Suárez, “De Fide,” disp. XVIII, sect. V, 273-275. See also Richard Tuck, “Alliances with Infidels in the European Imperial Expansion,” in *Empire and Modern Political Thought*, ed. Sankar Muthu (Cambridge, 2012), 61-83.

<sup>29</sup> Suárez, “De Fide,” disp. XVIII, sect. IV (3) and (4), 271, once more based on the Canaanite example.

<sup>30</sup> Suárez, “De Charitate,” disp. XIII, sect. V (3), 456.

<sup>31</sup> The multi-faceted value of these examples had already been exploited in the sixteenth century by French apologists of alliances with the Turks, see Géraud Poumarède, “Justifier l’injustifiable: L’alliance turque au miroir de la Chrétienté (XVIe-XVIIe siècles),” *Revue d’histoire diplomatique* 111 (1997): 217-246.

<sup>32</sup> Suárez, “De Charitate,” disp. XIII, sect. VII (25), 464-465. It was licit to sell weapons and assist infidels fighting a just war, if this did not cause public scandal or endanger believers. Molina, too, had mainly quoted Old

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Testament examples, stating that there was little to say on the question, Molina, *De Iustitia et Iure*, vol. I, disp. 112, 450.

<sup>33</sup> Molina, *De Iustitia et Iure*, vol. I, disp. 104, 432.

<sup>34</sup> Vincenzo Candido, *Illustriorum Disquisitionum moralium Tomi duo...* (Venice, 1639) [first edition 1637], Disq. XVIII (*De Bello*), art. I, dub. III, 109. On Candido see Jacques Quéatif and Jacques Echard, *Scriptores Ordinis Praedicatorum ... vol. II* (Paris, 1721), 580.

<sup>35</sup> A very ambiguous example as the Philistines made Achish dismiss David. Molina had limited alliances with infidels to just wars against other infidels, Molina, *De Iustitia et Iure*, vol. I, disp. 110, 450.

<sup>36</sup> In the sense of “vindicative justice” as explained in James Turner Johnson, *The Holy War Idea in Western and Islamic Traditions* (University Park, 2002), 54.

<sup>37</sup> Candido, *Illustriorum Disquisitionum*, Disq. XVIII (*De Bello*), art. I, dub. IV, 110. On the amalgam of humanist and crusade traditions in the term *res publica Christiana*, see Tuck, *The Rights of War and Peace*, 28-31. Candido’s argument resembles that of Bacon and other Protestant proponents of holy war, who considered religious difference as a wrong to be rectified by just war, see Turner Johnson, *Ideology, Reason, and the Limitation of War*, 154.

<sup>38</sup> See Andreas Wendland, *Der Nutzen der Pässe und die Gefährdung der Seelen. Spanien, Mailand und der Kampf ums Veltlin 1620-1641* (Zürich, 1995), 143-158. Preventing Spanish imperialism was already part of the French apology of Turkish alliances, see Poumarède, “Justifier l’injustifiable”, 230-231.

<sup>39</sup> The anti-Richelieu pamphlets, published mainly in the Spanish Netherlands and Rome, demanded the excommunication *ipso facto* of the French king’s counsellors. On the significance of the Valtelline for Richelieu’s interior and exterior politics, see Church, *Richelieu*, 103-172; for the intensity of French pamphlet production in this period, see Hélène Duccini, “Regard sur la littérature pamphlétaire en France au XVII<sup>e</sup> siècle,” *Revue historique* 260 (1978): 313-339. On expected audiences and the use of just war arguments Piirimäe, “Just war in theory and practice,” 499-523 here 512; Weber, “Zur Legitimation der französischen Kriegserklärung von 1635,” 90-113.

<sup>40</sup> Despite the fact that Olivares hardly followed the Spanish theological counselors’ recommendations, see Davide Maffi, “Confessionalismo y razón de estado en la edad moderna. El caso de la Valtellina (1637-1639),” *Hispania Sacra* 57 (2005): 467-489; Andreas Wendland, “Geistlicher Sachverstand im frühneuzeitlichen Spanien: die *juntas de teólogos* unter Olivares (1623-1643),” in *Debatten über die Legitimation von Herrschaft. Politische Sprachen in der Frühen Neuzeit*, ed. Luise Schorn-Schütte and Sven Tode (Berlin, 2006), 143-158.

<sup>41</sup> [François Langlois sieur de Fancan], *Discours sur l’affaire de la Valteline, et des Grisons dédié au tres-puissant & Catholique Roy d’Espagne. Traduit de l’italien* (Paris, 1625), 3-5; see also his *Le miroir du temps passé à l’usage du present. A tous bons peres Religieux & vrais Catholiques non passionnez* (s.l., 1625), 21. Fancan, canon of Saint Germain l’Auxerrois, started out as Richelieu’s polemicist and agent, but died in the Bastille in 1627, suspected of subversion of the anti-Huguenot campaign, see G. Fagniez, “Fancan et Richelieu,” *Revue Historique* 107 (1/1911): 59-78.

<sup>42</sup> [Fancan], *Le miroir*, 21. On Coton and Arnoux as confessors, see Georges Minois, *Le confesseur du roi. Les directeurs de conscience sous la monarchie française* (Paris, 1988), 341-359.

<sup>43</sup> [Jérémie Ferrier], *Le Catholique d’Estat ou Discours politique des Alliances du Roy tres-Chrestien, contre les calomnies de son Estat, dédié au Roy* (Paris, 1625). On the authorship see Church, *Richelieu*, 128. Ferrier converted to Catholicism around 1613 under the patronage of the royal confessor Coton; Richelieu nominated him royal counselor, see Joël Poivre, “La carrière mouvementée d’un Pasteur au début du XVII<sup>e</sup> siècle: Jérémie Ferrier,” *Bibliothèque de l’école des chartes* 166 (1988): 131-161; on père Joseph, see Benoist Pierre, *Le père Joseph, éminence grise de Richelieu* (Paris, 2007).

<sup>44</sup> *Catholique d’Estat*, (introduction), s.p. indeed repeating the sixteenth century French apologists of Turkish alliances, see Poumarède, “Justifier l’injustifiable”, 232-234.

<sup>45</sup> *Catholique d’Estat*, 16-17.

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<sup>46</sup> *Catholique d'Estat*, 18. This is more radical than permitting states to declare a holy war on religious grounds as was the case in Protestant holy war arguments, see Turner Johnson, *Ideology, Reason and the Limitation of War*, 111-117.

<sup>47</sup> Vitoria, "On the Law of War," 2.2 §22-26, 307-309; Suárez, "De Charitate," sect. VI (8), 458. Vitoria, however, maintained that some wars were so manifestly unjust that subjects must refuse to serve in them. Suárez denied this, but agreed that unjust war compromised the ruler's conscience.

<sup>48</sup> *Catholique d'Estat*, 19 (quotation), and 20-47. The idea of Jesuits drugging Frenchmen goes back to the pamphlet *Satyre Ménippée* (1594), see *Satyre Ménippée de la Vertu du Catholicon d'Espagne et de la tenue des Etats de Paris*, ed. Martial Martin (Paris, 2007), 7-13; on Spanish moral theology as a tool of Spanish imperialism, see Harald E. Braun and Edward Vallance, "Introduction," *Renaissance Studies* 23 (4/2009): 413-422, here 413.

<sup>49</sup> *Catholique d'Estat*, 118.

<sup>50</sup> *Catholique d'Estat*, 162-167, and 199 attacking Cardinal Cajetan, Francisco de Vitoria, Domingo Bañez, Juan de Mariana, Juan de Cartagena, doctor Navarro and Molina, presented as a united front despite the significant differences between them.

<sup>51</sup> *Catholique d'Estat*, 67, 90, 103.

<sup>52</sup> Still useful Victor Martin, *Le Gallicanisme politique et le clergé de France* (Paris, 1929), 14-40; see also Jotham Parsons, *The Church in the Republic. Gallicanism & Political Ideology in Renaissance France* (Washington D.C., 2004), 185-224.

<sup>53</sup> They target Vitoria, "On the Law of War," 2.2-3, § 27-30, 309-11; Molina, *De Iustitia et Iure*, vol. I, Tract. II, disp. 103, 426-28

<sup>54</sup> *Catholique d'Estat*, 49. The original example in Paolo Giovio, *Histoires, Lib. I* (Paris, 1570), 18-19 [first Latin edition Florence, 1550]. Gentili also relied heavily on Giovio in his denunciation of Spanish imperialism, see Gentili, *De Iure Belli*, Lib. I., passim.

<sup>55</sup> *Catholique d'Estat*, 71.

<sup>56</sup> See Church, *Richelieu*, 146, 169.

<sup>57</sup> See Caroline Mailliet-Rao, "Mathieu de Morgues and Michel de Marillac: The dévots and absolutism," *French History* 25 (3/2011): 279-297.

<sup>58</sup> Nicolas Caussin, *Epistola ad Reverendissimum Patrem Mutium Vitellescum* (s.l., 1638), point XX and passim.

<sup>59</sup> As also in Bireley, *The Jesuits and the Thirty Years War*, 185-190. On the problem of the authorship of the *Mémoires*, see Church, *Richelieu*, 472-475.

<sup>60</sup> Scholarship has focused almost exclusively on his rhetorical works see Marc Fumaroli, *L'âge de l'éloquence* (Geneva, 2002; first edition 1980), 362-365; Philippe Lécivain, "L'Éloquence sacrée à l'épreuve de la politique. Quand un conflit d'influence devient une affaire d'Etat," in *Nicolas Caussin: rhétorique et spiritualité à l'époque de Louis XIII* (Actes du colloque de Troyes, 16-17 septembre 2004), ed. Sophie Conte (Münster, 2007), 59-75.

<sup>61</sup> Bireley's statement (*The Jesuits and the Thirty Years War*, 185) that the *Cour Sainte* contained nothing on just war, based on the 1628 edition, cannot be upheld for the post-exile versions. See prophet lives in the fifth volume of the 1646: Nicolas Caussin, *La Cour Sainte, Tome V selon l'Ordre Ancien contenant les Vies et Eloges des personnes Illustres qui ont esté adioutées & insérées dans l'ordre nouveau de la dernière édition* (Avignon, 1646). A year later work appeared in two volumes, with a new introduction and the part on prophets in volume II (chapter on the "hommes de Dieu"): Id., *La Cour Sainte, Tome second, contenant les vies et les eloges des personnes illustres de la Cour, tant du vieil que du nouveau Testament, divisez en cinq ordres. Les Monarques et princes/ Les Reynes et Dames/ Les Cavaliers/ Les Hommes d'Estat/ Les Hommes de Dieu* (Paris, 1647).

<sup>62</sup> Caussin, *La Cour Sainte, Tome second*, 3, 11.

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<sup>63</sup> Caussin, *Epistola*, point XXXIX, where he quotes Suárez, Vázquez, Bañez, Molina, Becanus, Laymann and Bonacina.

<sup>64</sup> Caussin, *La Cour Sainte*, Tome second, 508.

<sup>65</sup> Caussin, *La Cour Sainte*, Tome second, 510-11.

<sup>66</sup> See Reinhardt, "Spin doctor of conscience," 569-71.

<sup>67</sup> See Pierre Blet, "Jésuites gallicans au XVII<sup>e</sup> siècle? A propos de l'ouvrage du P. Guitton sur le P. de La Chaize," *Archivum Historicum Societatis Iesu* 29 (1960): 55-84, here 57-64, and Eric Nelson, *The Jesuits and the Monarchy. Catholic Reform and Political Authority in France (1590-1615)* (Aldershot, 2005). An exhaustive analysis of these debates in Sylvio Hermann de Franceschi, *La crise théologico-politique du premier âge baroque: anti-romanisme doctrinal, pouvoir pastoral et raison du prince face au prisme français, 1607-1627* (Rome, 2009).

<sup>68</sup> See Max Weber, *Economy and Society. An Outline in Interpretive Sociology*, vol. I, ed. Guenther Roth and Clauss Wittich (Berkeley-Los Angeles-London, 1978), 439-457.

<sup>69</sup> For reasons of coherence, I use the Douai translation of the Vulgate.

<sup>70</sup> See David El Kenz, "Die mediale Inszenierung der Hugenotten-Massaker zur Zeit der Religionskriege: Theologie oder Politik?," in *Bilder des Schreckens: Die mediale Inszenierung von Massakern seit dem 16. Jahrhundert*, ed. Christine Vogel (Frankfurt a.M., 2006), 51-73. Concerning the difficulties of interpreting the significance of violence for Biblical prophecy, see *Aesthetics of Violence in the Prophets*, ed. Chris Franke and Julia M. O'Brien (New York-London, 2010).

<sup>71</sup> Caussin, *La Cour Sainte*, Tome V, 615-616.

<sup>72</sup> Caussin, *La Cour Sainte*, Tome V, 622.

<sup>73</sup> Caussin, *La Cour Sainte*, Tome V, 625, 629.

<sup>74</sup> Caussin, *La Cour Sainte*, Tome V, 627-628.

<sup>75</sup> See Raymond Westbrook, "Elisha's True Prophecy in 2 Kings 3," *Journal of Biblical Literature* 124 (3/2005): 530-532.

<sup>76</sup> Caussin, *La Cour Sainte*, Tome V, 628-629.

<sup>77</sup> See Poumarède, "Justifier l'injustifiable," 217-246.

<sup>78</sup> See Robert Bireley, *Religion and Politics in the Age of the Counterreformation. Emperor Ferdinand II, Wilhelm Lamormaini, S.J., and the Formation of Imperial Policy* (Chapel Hill, 1981), 213-226; Id., *The Counter-Reformation Prince*, 131; on the discussions during the Westphalian peace negotiations, see Id., *The Jesuits and the Thirty Years War*, 249-261.

<sup>79</sup> Similar to many Spanish authors, see Bireley, *The Jesuits and the Thirty Years War*, 112, 176-177.

<sup>80</sup> Nicolas Caussin, *Angelus pacis ad principes Christianos* (Paris, 1650); I quote from the English translation *The Angel of Peace to All Christian Princes* (s.l., 1650), 10-19.

<sup>81</sup> Caussin, *The Angel of Peace*, 30: "They affirm that the Gospel was first preached onto them, that the primigenial adoption of the Sons of God was given to them, that they have advanced Learning in all Christian Kingdomes, the whole world almost becoming Students of our Academy at their Paris; in a word, they think they have nothing to be contemned. ... From hence it comes to passe, that both the Nations being prodigall in the accumulations of their own, and envious of the others glory; such flames have of late been kindled, as will, it may be feared, become unquenchable".

<sup>82</sup> Caussin, *The Angel of Peace*, 69.



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<sup>83</sup> Caussin, *The Angel of Peace*, 84. That justice of war and taxation were interconnected was no novelty and Caussin had reflected on this extensively during his exile, see Archives Françaises de la Compagnie de Jésus, *Dossier Caussin I*, f. 365-371.

<sup>84</sup> Invoking a distinction between “true” and “false” reason of state, implicit already in Botero’s original definition of “ragion di stato”, but fully explored amongst Spanish writers in the early seventeenth century, see Giovanni Botero, *Della Ragione di Stato Libri Dieci* (Milan, 1596), Lib. I; see also Robert Bireley, “Scholasticism and Reason of State,” in *Aristotelismo politico e Ragion di Stato* (Atti del convegno internazionale di Torino, 11-13 febbraio 1993), ed. Enzo A. Baldini (Florence, 1995), 83-101; Domenico Taranto, “Le discours de la raison d’État,” in *Histoire raisonnée de la philosophie morale et politique*, vol. 1, ed. Alain Caillé, Christian Lazzeri and Michel Senellart (Paris, 2001), 318-329.

<sup>85</sup> Pierre Bayle, *Dictionnaire Historique et Critique*, cinquième édition, vol. II (Amsterdam, 1734), 375-376.

<sup>86</sup> For the “nationalist” undercurrent in the seventeenth century French debates on moral theology, see Jean-Pascal Gay, *Morales en conflit. Théologie et polémique au Grand Siècle, 1640-1700* (Paris, 2011), 103-170; earlier denunciation of scholastics shifted to one of “Jesuit” casuistry, see Id., “Du ‘joug léger’ à la ‘porte étroite’: le rythme de la répudiation de la casuistique classique en France au XVIIe siècle,” in *La casuistique classique: genèse, formes, devenir*, ed. Serge Boarini (Saint-Etienne, 2009), 87-114. On Pascal’s satirical strategies Laurence W.B. Brockliss, “The Lettres provinciales as a jansenist calumny: Pascal and moral theology in mid-seventeenth century France,” *Seventeenth Century French Studies* 8 (1986): 5-22.